

# **SQUADRON CONSTITUTION**

## **PREAMBLE**

Proud possessors of a priceless heritage, we male descendants of veterans of the Great Wars, associate ourselves together as “Sons of The American Legion” for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a true spirit of Americanism; to preserve the memories of our former members and the associations of our members and our forefathers in all wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

## **ARTICLE I NAME**

Section 1. The name of this organization shall be the Sons of The American Legion Squadron No. 176, attached to American Legion Post No. 176 Springfield, Department of Virginia.

## **ARTICLE II NATURE**

Section 1. The Sons of The American Legion Squadron, attached to American Legion Post No. 176 Springfield, Department of Virginia, is a civilian organization. Membership therein does not affect nor increase liability for military or police service.

Section 2. The Squadron shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

Section 3. The Squadron shall be absolutely non-sectarian.

Section 4. Each member shall perform his full duty as a citizen according to his own conscience and understanding, in accord with the law.

### **ARTICLE III ORGANIZATION**

Section 1. This Squadron is organized as a subordinate body of the Sons of The American Legion, Detachment of Virginia, and under the sponsorship and jurisdiction of American Legion Post No. 176, Department of Virginia, The American Legion.

Section 2. This Squadron shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion, by such rules and regulations as may be prescribed by the Detachment Headquarters, approved by the Department Executive Committee of The American Legion, and by such rules and regulations as may be prescribed by its sponsoring post of The American Legion, not inconsistent with those prescribed by the national organization.

Section 3. No person may be a member at any one time of more than one Squadron.

Section 4. Each Squadron shall be the judge of the qualifications of its members, provided such members are eligible for membership in the Sons of The American Legion and eligibility is certified by the Post Adjutant.

Section 5. Members may be reprimanded, suspended or expelled from the Sons of The American Legion only upon proper showing of Cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of the Sons of The American Legion. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose his membership until given a fair trial by the elective officers and Executive Committeemen of the Squadron in which he is a member.

Section 6. Any member who has been suspended or expelled from the Sons of the American Legion shall have the right to appeal to the Detachment Executive Committee or to the Detachment Convention. The decision of the Detachment shall be final. The provisions of Sections 5 and 6 do not apply to disciplinary procedures carried out in compliance with any state or local law, not affecting the right of the member to attend Squadron meeting.

Section 7. Any Squadron in this Detachment shall have full power and authority to remove from the membership roll the name of any member not paying his annual dues, as provided in the Sons of The American Legion National Constitution and By-Laws.

Section 8. Officers of the Squadron may be reprimanded, suspended or removed from office upon charges based on disloyalty to the Sons of The American Legion, The American Legion or to the National Government, neglect of duties, dishonesty, and conduct unbecoming a member or

officer of the Sons of The American Legion. All charges shall be made in writing by an accuser and no officer shall be reprimanded, suspended or removed from office until given a fair trial. The procedures to follow are as in the Department of Virginia Constitution.

#### **ARTICLE IV ELIGIBILITY**

Section 1. All male descendants, adopted sons and stepsons of members of The American Legion, and such male descendants of veterans who died in service during World War I or since December 7, 1941, during the delimiting periods set forth in Article IV, Section 1, of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion.

Section 2. There shall be no form or class of membership except an active membership.

Section 3. No person who has been expelled by a Squadron shall be admitted to membership in another Squadron without consent of the expelling Squadron, except that where such consent has been asked for and denied by such Squadron, he then may appeal to the Detachment Executive Committee for permission to apply for membership in another Squadron, and shall be ineligible for membership until such permission is granted.

#### **ARTICLE V OFFICERS**

Section 1. The Squadron officers shall be a Commander, First Vice Commander, Second Vice Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Chaplain and Historian, all of whom shall be elected at the Squadron's annual meeting.

Section 2. Every member of this Squadron, whose is in good standing, shall be eligible to hold office. Any candidate for Commander must have held an elected office for one full term prior to running for Commander.

#### **ARTICLE VI EXECUTIVE COMMITTEE**

Section 1. Between Squadron meetings, the administrative power of the Squadron shall be vested in the Squadron Executive Committee, which shall consist of all elective officers for the current year, and in addition the three immediate Past Commanders.

Section 2. All other Past Squadron Commanders shall be members of the Squadron Executive Committee without vote.

## **ARTICLE VII DUES**

Section 1. The annual membership dues of this Squadron shall be \$35.00 for adults, payable on September 10 of each year, for the following year. For persons with membership in the American Legion Post No. 176 Springfield, Department of Virginia, if being a member in good standing, shall have membership dues being \$30.00. Junior membership dues, being eligible and under 18 years of age, shall be \$20.00.

A member whose dues for the current year have not been paid by January 1 shall be deemed delinquent. If his dues are paid on or before Feb. 1, he shall be automatically reinstated. If he is still delinquent after February 1, he shall be suspended from all privileges. If he is still under such suspension on June 30 of such year, his membership in the Sons of The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Squadron and payment of current dues for the year in which reinstatement occurs. Provided, however, that the Squadrons, Detachments, and the national organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

## **ARTICLE VIII AMENDMENTS**

Section 1. This Constitution is adopted, subject to the provision of the National Constitution and the Detachment Constitution of which this Squadron is a subordinate member. Any amendment to the National or Detachment Constitutions which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution, to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Squadron meeting by vote of two-thirds of the members in attendance; provided, that the proposed amendment shall have been submitted in writing, and read at the immediate preceding Squadron meeting, and provided further, that written notice shall have been given to all members at least seven days in advance of the date which such amendment is to be voted upon, notifying said members at such meeting a proposal to amend the Constitution is to be voted upon.

Section 3. Only members in good standing will be privileged to participate in the business of a meeting, vote or hold office.

# **SQUADRON BYLAWS**

Bylaws of the Sons of The American Legion Squadron No. 176, attached to American Legion Post No. 176 Springfield, Department of Virginia.

## **ARTICLE I MEMBERSHIP**

Section 1. Applications for membership shall be made in writing on blanks prescribed therefore by the national organization or provided by Squadron No. 176.

Section 2. All applications for membership shall be acted upon at the next meeting of the Executive Committee following the making of such application. The Executive Committee shall present such application to the Squadron at its next regular meeting with its recommendation for acceptance or rejection. If three or more Squadron members cast their vote against the acceptance of such applicant, then such applicant shall be recorded as rejected.

## **ARTICLE II NOMINATION AND ELECTION OF OFFICERS**

Section 1. At the regular Squadron meeting in April the Commander shall appoint a nominating committee of three members who will, acting together with and under the advice of the Supervisory Committee of the Post, present to the regular meeting in May a list of one or more candidates for each office required to be elected under the Constitution of this Squadron. Election of officers will be held in May.

Section 2. At the conclusion of the report of the nominating committee, any Squadron member may present the name of any other Squadron member for nomination to any office for which such Squadron member is not nominated by the nominating committee.

Section 3. Those officers shall be declared elected who have by secret ballot received a majority of the votes of the Squadron members in good standing present at the annual meeting.

Section 4. The newly elected officers and members of the Executive Committee shall take office at the next regular meeting after being installed by proper authority.

## **ARTICLE III DUTIES OF OFFICERS**

Section 1. Commander: The Commander, who corresponds to the President of an organization, shall be the executive head of this Squadron of the Sons of the American Legion, with full power to enforce the provisions of the local Constitution and Bylaws and the policies and mandates of the National and of the Department Committees of the Sons of The American Legion and of the Executive Committee of the Squadron.

Section 2. First Vice Commander: The First Vice Commander, who corresponds to the First Vice President of an organization, shall act as representative of the Commander on all matters referred to him and shall specifically be in charge of membership campaigns. He shall perform such other duties as are usually incident to the office.

Section 3. Second Vice Commander: The Second Vice Commander, who corresponds to a Second Vice President, shall likewise act as representative of the Commander, and he shall specifically be in charge of Squadron activities. He shall perform such other duties as are usually incident to the office.

Section 4. Adjutant: The Adjutant, who corresponds to the Secretary of an organization, shall be charged with the administrative duties required in carrying out the policies and mandates of the National and Department Committees of the Sons of The American Legion and of the Executive Committee of this Squadron. He shall perform as part of his duty to maintain and handle the membership records of the Squadron and be charged with all processes incident to the office.

Section 5. Finance Officer: The Finance Officer shall be the custodian of the funds of the Squadron. He shall be charged with receiving and disbursing the funds of the Squadron and shall make reports upon the condition of the Squadron treasury when called for by the Commander or Executive Committee. He shall perform such other duties as are usually incident to the office.

Section 6. Sergeant-at-Arms: The Sergeant-at-Arms shall be charged with the responsibility of preserving order at all Squadron meetings and he shall be given the custody of the Squadron colors. He shall perform such other duties as are usually incident to the office.

Section 7. Chaplain: The Chaplain shall perform such divine and non-sectarian service as may be necessary, adhering to such ceremonial rituals as may be prescribed by the National Membership and Post Activities Committee of The American Legion.

Section 8. Historian: The Historian shall collect from year to year all records and data of value and interest to the Sons of The American Legion and The American Legion, and shall compile during his term of office a complete history of the year's activities.

#### **ARTICLE IV**

## **EXECUTIVE COMMITTEE**

Section 1. The Squadron Executive Committee shall fill any vacancy in the membership of the committee occurring between annual Squadron meetings for the remainder of the unexpired term.

Section 2. Any officer or executive committeeman may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to effect such removal. An officer or executive committeeman who absents himself for three or more Squadron or Executive Committee meetings or events can, on due investigation, by the Executive Committee, be held to be sufficient proof of inefficiency, warranting such removal. Absence of attendance may be excused with prior due notice of at least twenty-four hours advance to the Commander and Adjutant.

## **ARTICLE V POST SUPERVISORY COMMITTEE**

Section 1. The jurisdiction of American Legion Post No.176, Department of Virginia, The American Legion, over this Squadron shall be exercised through a committee of one or more members of said Post appointed annually by the Post Executive Committee on nomination of the Post Commander.

## **ARTICLE VI STANDING COMMITTEES**

Section 1. Upon nomination of the Squadron Commander, the Executive Committee shall as required appoint such standing committees as it shall deem advisable for the benefit of the membership of the Squadron as a whole.

## **ARTICLE VII MEETINGS**

Section 1. The annual meeting of this Squadron shall be held on the first regular meeting day of June in each calendar year of said date.

Section 2. The regular stated meeting of this Squadron shall be held on the second Tuesday of each month. The meeting will begin at 7:00 p.m. or at the designated time by the Commander stated at the previous meeting which shall supersede the 7:00 p.m. time.



Section. 3 The Commander or a majority of the Executive Committee shall have the power to call a special meeting of this Squadron at any time.

Section 4. Special meetings shall be called upon by the written request of 10 Squadron members.

Section 5. Every member shall furnish to the Adjutant his address, to which all notices and documents may be sent, and the same shall be held to have been duly sent to or served upon a member if mailed to such address so furnished. In default of an address having been furnished by a Squadron member, any notice or documents will be held to have been duly served upon such member five days after the same shall have been deposited in the local post office addressed to such member at such post office address.

Section 6. Notice of all special meetings of the Squadron shall be mailed to each Squadron member at least seven days previous to the holding of such meeting and at least ten days in advance of the holding of the annual meeting.

Section 7. The notice of special meetings shall state the object and purpose thereof, and no business shall be transacted at such special meeting except for such business as is contained in the notice thereof.

Section 8. The Executive Committee shall meet for organization and such business as may come before it within 10 days after the annual election on the call of the Commander. Thereafter the Executive Committee shall meet at the call of the Commander at least every-four months and as often as said Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon the written request of five members of the committee.

Section 9. The Squadron Executive Committee may conduct "Official" business of the Squadron in the form of a tele-conference, or variation thereof, with permission of the Commander, or if absent, under the guidance of the preceding Vice Commanders, provided that Roll Call and Minutes of the call be sent out to all members as regular procedures dictates.

## **ARTICLE VIII QUORUM**

Section 1. Four members, besides a qualified presiding officer, shall constitute a quorum at any meeting of the Squadron.

Section 2. Four members of the Executive Committee shall constitute a quorum for the legal transaction of business.

## **ARTICLE IX FINANCES**

Section 1. All funds of this Squadron shall be deposited into the Squadron's established bank account by the Finance Officer. Withdrawals shall only be made upon draft or check signed by the Finance Officer or by the Post General Manager or Post Finance Officer.

Section 2. The Commander shall have a budget of \$250.00 to spend at any time without vote between each meeting for the use and betterment of the Squadron and its activities or for the American Legion Post 176 Springfield, VA. Receipts are required for reimbursement upon approval of the Executive Committee.

Section 3. Disbursement of petty cash by check outside of Regular Meetings must be signed by either the Squadron Finance Officer, the General Manager or Finance Officer of The American Legion Post 176 Springfield, VA. The purchase must be for the use and betterment of the Squadron and its activities or for the American Legion Post 176 Springfield, VA, and must be accompanied by receipt of purchase. A notice to the Squadron Executive Committee is required prior of making such purchases unless with the permission of the Commander or by vote during meetings.

Section 4. All Squadron and Post officials handling Squadron moneys shall be properly bonded with a good and solvent bonding and surety company, as surety, to cover double the average amount of moneys handled in a single year.

## **ARTICLE X RULES OF ORDER**

Section 1. The procedure at all squadron meetings shall be governed by the latest edition of Robert's Rules of Order.

## **ARTICLE XI AMENDMENTS**

Section 1. These bylaws are adopted, subject to the provisions of the National Bylaws and the Detachment Bylaws, of which this Squadron is a subordinate member. Any amendment to the National or Detachment Bylaws which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of these Bylaws to the extent of such conflict.

Section 2. These Bylaws may be amended at any regular Squadron meeting by vote of two-thirds of the members attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at the immediate preceding Squadron meeting, and provided further, that written notice shall have been given to all members at least seven days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Bylaws is to be voted upon.

**ARTICLE XII**  
**DOCUMENTATION**

These Constitution and Bylaws have been amended and reviewed by the Sons of The American Legion Squadron No. 176 on this date, December 12, 2017.

These Constitution and Bylaws have been amended and reviewed by the Sons of The American Legion Squadron No. 176 on this date, February 11, 2020.

Squadron Commander

Squadron Adjutant